

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William L. Howat et al. Confirmation No.: 1765
 Serial No.: 10/725,147 Group No.: 3738
 Filed: 12/01/2003 Examiner: David J. Isabella
 For: PROSTHESIS GRAFT WITH Z PLEATING

Certificate of Mailing or Transmission [37 CFR 1.8(s)]

I hereby certify that this correspondence is being transmitted by EFS on the date shown below to the United States Patent and Trademark Office

March 21, 2007
 (Date of Deposit)
 Carl J. Evens
 Name of applicant, assignee, or Registered Representative
 /Carl J. Evens/
 (Signature)
 March 21, 2007
 (Date of Signature)

Mail Stop Petitions
 P.O. Box 1450
 Commissioner for Patents
 Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR
 PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

1. Petition fee;
2. Reply and/or Issue fee;
3. Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee
 - ☐ Small entity fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
 - ☒ Other than small entity fee \$1,500.00(37 CFR 1.17(m))
2. Reply and/or fee
 - A. The reply and/or fee to the above-noted Office Action in the form of RCE:
 - ☐ has been filed previously on
 - ☒ is enclosed herewith.

- B. The issue fee of \$
☐ has been paid previously on
☐ is enclosed herewith.
3. Terminal disclaimer with disclaimer fee
☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))]

- ☒ Charge the petition fee of \$1,500.00 to Account 10-0750/CRD5053/CJE and for any additional fee required. A duplicate of this petition is attached.
- ☐ A check in the sum of \$ _____ is attached.
- ☒ Charge Account 10-0750/CRD5053/CJE for any additional fee required.

/Carl J. Evens/

Carl J. Evens
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Date: March 21, 2007

Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☐ Additional Sheets containing statements establishing unintentional delay
☐ Other: _____